

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
THIRD REGION**

ADT LLC D/B/A ADT SECURITY SERVICES

and

**Cases 03-CA-184936
03-CA-192545**

**INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL UNION 43**

**GENERAL COUNSEL'S CROSS-EXCEPTION TO THE
DECISION OF THE ADMINISTRATIVE LAW JUDGE**

Pursuant to Section 102.46(e) of the Board's Rules and Regulations, Counsel for the General Counsel (General Counsel) hereby submits this Cross-Exception to the Decision of Administrative Law Judge Michael A. Rosas (ALJ), dated August 4, 2017, in the above-captioned cases.

Exception:

The General Counsel excepts to the ALJ's inadvertent omission of findings to support his correct remedy, order, and conclusions of law that Respondent violated Section 8(d) of the Act by imposing a mandatory six-day workweek both for service and installation technicians in the Albany unit, and for service technicians in the Syracuse unit. (ALJD 8:11-8:14). In support of this exception, General Counsel relies upon the facts considered by the ALJ, as well as the ALJ's conclusions of law that Respondent changed the terms and conditions of employment in the Albany unit by imposing a six-day workweek for service and installation technicians in that location without the Union's consent (ALJD 12:8-12:13), and that Respondent changed the terms and conditions of employment in the Syracuse unit by imposing a bi-weekly six-day workweek for the service technicians in that location without the Union's consent. (ALJD 12:15-12:17).

Further, the General Counsel relies on the ALJ's recommended Order that Respondent cease and desist from unilaterally and without the consent of the Union imposing a six-day workweek for service and installation technicians in the Albany unit or otherwise changing employees' terms and conditions of employment as set forth in the Albany collective-bargaining agreement (ALJD 13:6-13:10), and cease and desist from unilaterally and without the consent of the Union imposing a bi-weekly six-day workweek for the service technicians in the Syracuse unit or otherwise changing employees' terms and conditions of employment as set forth in the Syracuse collective-bargaining agreement. (ALJD 13:12-13:14).

DATED at Albany, New York, this 13th day of October, 2017.

Respectfully submitted,

/s/ Alicia E. Pender
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